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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,543	04/09/2001	Steven V. Kauffman	SVL920010030US1	8214

24852 7590 04/29/2004

INTERNATIONAL BUSINESS MACHINES CORP  
IP LAW  
555 BAILEY AVENUE, J46/G4  
SAN JOSE, CA 95141

EXAMINER

PHILIPPE, GIMS S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 04/29/2004

*[Handwritten number 4]*

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/829,543

Applicant(s)

KAUFFMAN ET AL.

Examiner

Gims S Philippe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-8, 10, 13, 14, 16-20, 22, 25, 26, 28-30, 32 and 34 is/are rejected.
- 7) ☒ Claim(s) 3, 9, 11, 12, 15, 21, 23, 24, 27, 31, 33, 35 and 36 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This is a first action in response to application no. 09/829,543 filed on April 9<sup>th</sup> 2001 in which claims 1-36 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-8, 10, 13-14, 16-20, 22, 25-26, 28-30, 32, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Yonemitsu et al. (US Patent no. 5,596,565).

Regarding claims 1, 8, 13, 20, 25, and 32, Yonemitsu discloses a system and method for synchronizing contents stored in different encoding formats (See Yonemitsu Abstract, col. 7, lines 44-57). The system and method comprising the steps of accessing first content stored at a first format, the first content having timecodes superimposed on its frames (See Figs. 14 with time codes col. 17, lines 64-67 and col. 18, lines 1-10), determining the superimposed timecodes of first and second representative frames of the first content (See Figs. 14 and 15, col. 18, lines 1-10),

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determining the frame numbers corresponding to the first and second representative frames (See col. 32, lines 5-9, and lines 22-34), using the determined timecodes and frame numbers to determine general correspondence information between frame numbers and timecodes of the first format (See col. 29, lines 59-67, col. 30, lines 1-4, and lines 62-65, and col. 32, lines 35-54).

The applicant should note that by looking at Fig. 15, the frame number is known (i.e., I, the Intraframe, is frame no.1 of the sequence followed by Ps and Bs frames as shown in the figure).

As per claims 2, 4, 14, 16, 26, and 28, most of the limitations of these claims have been noted in the above rejection of claims 1, 13, and 25. In addition, Yonemitsu further discloses receiving a specification of a portion of the first contents, the specification including markers indicating the starting and ending frames of the portion (See col. 7, lines 45-57), using the correspondence information to determine the timecodes for the starting and ending of the specified portion (See col. 15, lines 49-65).

As per claims 5, 17, and 29, Yonemitsu further discloses burning the timecodes into the frames (See col. 18, lines 1-6).

As per claims 6, 18, and 30, Yonemitsu further discloses encoded marks in the superimposed timecodes (See Yonemitsu col. 7, lines 49-60, col. 8, lines 2-6).

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As per claims 10, 22, and 34, Yonemitsu further discloses determining the timecode by prompting a user to view the frame and input its timecode (See Yonemitsu col. 7, lines 49-67 and col. 8, lines 1-6).

As per claims 7, 19, and 31, most of the limitations of these claims have been noted in the above rejection of claims 6, 18, and 30. In addition, Yonemitsu further determines the timecode of the representative frames by decoding its marks (See Yonemitsu col. 31, lines 14-21).

3. Claims 3, 9, 11-12, 15, 21, 27, 31, 33, 35-36 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Suzuoka et al. (US Patent no. 6,151,017) teaches method and system for displaying multimedia data using pointing selection of related information.

Jain et al. (US Patent no. 6,360,234) teaches video cataloger systems with synchronized encoders.

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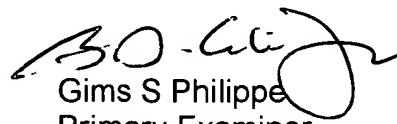
Miller et al. (US Patent no. 5,801,685) teaches automatic editing of recorded video elements synchronized with a script text read or displayed.

Eleftheriadis et al. (US Patent no. 6,079,566) teaches system and method for processing object-based audiovisual information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Gims S Philippe  
Primary Examiner  
Art Unit 2613

GSP

April 23, 2004